

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

United States of America,

—v—

Cortez Fowlkes,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 3/5/2021

20-cr-309 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

A status conference in this matter is currently scheduled for March 23, 2021 at 1:00 P.M. Dkt. No. 41. In light of the COVID public health crisis, there are significant safety issues related to in-court proceedings. If the Defendant is willing to waive his physical presence, this proceeding will be conducted remotely. To that end, defense counsel should confer with the Defendant regarding waiving his physical presence and provide the attached waiver form to him. If Mr. Fowlkes, after reviewing the form and being advised of its contents, wishes to waive his right to be physically present, he and his counsel should return the signed waiver form no later than March 22, 2021. If Mr. Fowlkes agrees to proceed remotely, defense counsel shall indicate to the Court whether videoconference is reasonably available to Mr. Fowlkes. Finally, the parties shall submit a joint letter by no later than March 19, 2021 indicating how they intend to proceed at the conference.

SO ORDERED.

Dated: March 5, 2021

New York, New York



ALISON J. NATHAN  
United States District Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

-v-

**WAIVER OF RIGHT TO BE PRESENT AT  
CRIMINAL PROCEEDING**

Cortez Fowlkes,

Defendant.

**20-cr-309 (AJN)**

-----X

**Check Proceeding that Applies**

\_\_\_\_\_ Conference

I have been charged in an indictment with violations of federal law. I understand that I have a right to be present at all conferences concerning this indictment that are held by a judge in the Southern District of New York, unless the conference involves only a question of law. I understand that at these conferences the judge may, among other things, 1) set a schedule for the case including the date at which the trial will be held, and 2) determine whether, under the Speedy Trial Act, certain periods of time should be properly excluded in setting the time by which the trial must occur. I have discussed these issues with my attorney and wish to give up my right to be present at the conferences. By signing this document, I wish to advise the court that I willingly give up my right to be present at the conferences in my case for the period of time in which access to the courthouse has been restricted on account of the COVID-19 pandemic. I request that my attorney be permitted to represent my interests at the proceedings even though I will not be present.

Date:

\_\_\_\_\_  
Signature of Defendant

\_\_\_\_\_  
Print Name

I hereby affirm that I am aware of my obligation to discuss with my client the charges contained in the indictment, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver form. I affirm that my client knowingly and voluntarily consents to the proceedings being held in my client's absence. I will inform my client of what transpires at the proceedings and provide my client with a copy of the transcript of the proceedings, if requested.

Date:

\_\_\_\_\_  
Signature of Defense Counsel

\_\_\_\_\_  
Print Name

**Accepted:**